

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 10, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE SGT SCOTT COMPTON OF THE UNITED STATES ARMY TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW:** The Board of County Commissioners presented SGT Scott Compton of the United States Army, who has returned home from his second tour of duty in support of Operation Iraqi Freedom, with a Certificate of Appreciation honoring him for his courageous commitment to serving our country. The Board commended his bravery and dedication to the cause of freedom. SGT Compton was also presented with a medallion challenge coin from Frank Morrow, Senior Service Officer of the Clermont County Veterans' Service Commission, and a Congressional Proclamation from Congresswoman Jean Schmidt honoring him for his service to our country and welcoming him home.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION...  
"CLERMONT 20/20 DAY" IN CLERMONT COUNTY...10-0204-  
005...ADOPTED**

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating Thursday, March 4, 2010, to be "Clermont 20/20 Day" in Clermont County in recognition of the 20<sup>th</sup> anniversary of Clermont 20/20, Incorporated, a Vision for Leadership.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 26-  
10/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **26-10** resolving to approve payment to vendors listed on the General Ledger Distribution Report(s) presented by the County Auditor 02/08/10 in the revised total amount of **\$2,287,822.91**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE  
INSTALLATION OF A SANITARY SEWER MAIN EXTENSION AND  
ACCEPTANCE OF SAME INTO THE COUNTY SEWER  
SYSTEM...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to authorize the

release of a Maintenance Bond which provided surety for the installation of a sanitary sewer main extension to serve the following subdivision and to accept said sanitary sewer main extension into the County Sewer System pursuant to the Clermont County Water Resources Department Rules and Regulations:

| Subdivision   | Township | Sewer Bond  |
|---|----------|-------------|
| Locust Lake Estates Subdivision<br>DC# 08-0918-001<br><br>*Secured by Official Check Number 004388 issued on 09/09/08 by Forcht Bank, 6100 First Financial Drive, Burlington, Kentucky 41005-7868 on behalf of JTD Realty Investment, LLC | Pierce   | \$2,600.00* |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Humphrey, Aye;    Mr. Proud, Yea.

**IN RE:            OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/  
CLERMONT COUNTY EMERGENCY MANAGEMENT AGENCY...  
GRANT APPLICATION FOR FUNDING FOR THE FY09 STATE  
HOMELAND SECURITY PROGRAM AND AUTHORIZATION TO  
EXECUTE THE SUB-GRANTEE GRANT AGREEMENT RELATIVE  
THERETO...10-0129-001...RATIFIED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to authorize Beth Nevel, Director, Clermont County Emergency Management Agency, to submit a Grant Application to the Ohio Emergency Management Agency (OEMA), a division of the Ohio Department of Public Safety, 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the FY09 State Homeland Security Program (SHSP) from the U.S. Department of Homeland Security, Office for Domestic Preparedness in the amount of \$179,245.00 for the prevention, protection, response and recovery from a possible terrorism incident, and, in concert therewith, to authorize her as the Sub-Grantee Grant Manager to execute the Grant Agreement (Sub-Grantee Grant Agreement Number 0000020607) and to administer the FY09 SHSP Grant Program for the County of Clermont, Ohio, pursuant to and in compliance with the terms and conditions set forth therein, effective for the performance period of 08/01/09 through 04/30/12.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye;    Mr. Croswell, Yes;    Mr. Proud, Yea.

**IN RE:            DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF  
SERVICE AGREEMENT WITH THE BUCKEYE RANCH FOR THE  
PROVISION OF RESIDENTIAL TREATMENT, VARIOUS LEVELS OF  
FOSTER CARE AND ALCOHOL/DRUG AND MENTAL HEALTH  
SERVICES FOR SAME...10-0201-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Interim Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and The Buckeye Ranch, 5665 Hoover Road, Grove City, Ohio 43123, for the provision of residential treatment, various

levels of foster care and alcohol/drug and mental health services for children in the care and/or custody of the Department of Job and Family Services and/or Juvenile Court, at the rates as defined therein, effective 01/01/10 through 12/31/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...SOFTWARE MAINTENANCE AGREEMENT WITH MAXIMUS CONSULTING SERVICES, INC., A WHOLLY OWNED SUBSIDIARY OF MAXIMUS, INC. FOR THE PROGRAM EXPENDITURE TRACKING SYSTEM (PET) FOR SAME...10-0129-002...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Interim Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Software Maintenance Agreement by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Department of Job and Family Services, and MAXIMUS Consulting Services, Inc., a wholly owned subsidiary of MAXIMUS, Inc., 700 Ackerman Road, Suite 150, Columbus, Ohio 43202, Remittance Address: Post Office Box 791188, Baltimore, Maryland 21279-1188 for the Program Expenditure Tracking System (PET), at a cost not to exceed \$2,150.00, for the period of 01/01/10 through 12/31/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS, CLERMONT COUNTY, OHIO, DEPARTMENT OF JOB AND FAMILY SERVICES, AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, OHIO COUNCIL 8, LOCAL 3536...09-0828-001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Interim Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to authorize David L. Spinney, County Administrator, to execute an Amendment to the Memorandum of Understanding (MOU) by and between the Board of County Commissioners, Clermont County, Ohio, Department of Job and Family Services, and the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 3536, representing the Bargaining Unit Employees of the Clermont County Department of Job and Family Services, previously ratified by the Board of County Commissioners on 09/02/09 for the implementation of ten (10) mandatory unpaid cost savings days during State Fiscal Year 2010, to modify said MOU to reflect all cost savings days served by Bargaining Unit Employees on and after February 10, 2010 to be **voluntary** in lieu of mandatory unpaid non-work days, commencing 02/10/10 and effective through 06/30/10.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT TRANSPORTATION CONNECTION...REQUEST TO ADVERTISE FOR BIDS FOR THE PURCHASE AND DELIVERY OF ONE (1) HEAVY DUTY TRANSIT BUS FOR SAME...10-0120-001...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Benjamin S. Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for bids for the purchase and delivery of one (1) heavy duty transit bus for the Clermont Transportation Connection pursuant to the specifications, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 02/18/10, with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 04/15/10**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960 where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site and the Clermont Transportation Connection Website.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...2009 SUMMARY REPORT OF FORCE ACCOUNT PROJECTS PURSUANT TO SECTION 5543.19 OF THE OHIO REVISED CODE...08-1205-004...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the 2009 Summary Report of Force Account Projects submitted by the Office of the County Engineer, which authorized the County Engineer to employ labor, purchase materials, and proceed by force account in the maintenance, repair, construction, and reconstruction of roads, bridges, and culverts in Clermont County, Ohio, during Calendar Year 2009, pursuant to Resolution Number 15-09 adopted by the Board of County Commissioners on 01/26/09 and in compliance with Section 5543.19 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 27-10/ RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EMPLOY LABOR, PURCHASE MATERIALS AND PROCEED BY FORCE ACCOUNT IN THE MAINTENANCE, REPAIR, CONSTRUCTION AND RECONSTRUCTION OF ROADS, BRIDGES AND CULVERTS IN CLERMONT COUNTY, OHIO...10-0128-004...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **27-10** authorizing the County Engineer to employ labor, purchase materials and proceed by force account in the maintenance, repair, construction, and reconstruction of roads, bridges and culverts in Clermont County, Ohio, during Fiscal Year 2010, with the County Engineer to submit the estimates of cost before proceeding with each project to the Board of County Commissioners using the force account assessment form developed by the Auditor of State, pursuant to and in compliance with Section 117.16 and 5543.19 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...THE ESTATES AT SHAYLER RIDGE AT WETHERBY FARMS SUBDIVISION/SECTION 7/UNION TOWNSHIP...RECORD PLAT NUMBER 629-2661 FOR THE REPLAT OF LOT NUMBER 333 WITHIN SAME...10-0204-006...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2661** for the Replat of a Lot in the following Subdivision within Union Township:

| Subdivision  | Record Plat Number | Reason for Replat                                |
|--|--------------------|--|
| Replat of Lot Number 333<br>The Estates at Shayler Ridge at<br>Wetherby Farms Subdivision<br>Section 7<br>Union Township | <b>629-2661</b>    | Revision of the existing Storm<br>Sewer Easement |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 28-10/RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY, CASUALTY AND LIABILITY INSURANCE FOR CLERMONT COUNTY, OHIO; HIRING A CONSULTANT TO NEGOTIATE THE ACQUISITION OF SUCH PURCHASE AND FOR THE ADMINISTRATION OF SUCH PURCHASE PURSUANT TO SECTION 307.86 (F) OF THE OHIO REVISED CODE...10-0128-002...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas L. Blust, Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **28-10** determining that compliance with Section 307.86 of the Ohio Revised Code relative to public bidding requirements would increase, rather than decrease, the cost of the purchase of property, casualty, and liability insurance for the County of Clermont, Ohio, and further determining to employ a competent consultant to assist the Board of County Commissioners as the contracting authority therefore in procuring the appropriate coverage at the best and lowest prices pursuant to and in compliance with Section 307.86 (F) of the Ohio Revised Code, and subsequent thereto, to authorize execution of a Consulting Agreement with Arthur J. Gallagher Risk Management Services, Inc.-Ohio Agency, Two Summit Park Drive, Suite 235, Independence, Ohio, 44131, relative thereto, effective for the period of 12/31/10 through 12/31/13.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE COUNTY OF CLERMONT, OHIO, ACTING THROUGH ITS BOARD OF COUNTY COMMISSIONERS, THE CLERMONT COUNTY ENGINEER, AND THE CLERMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT FOR THE PROVISION OF TRANSPORTATION IMPROVEMENTS THROUGHOUT CLERMONT COUNTY, OHIO...06-0815-001...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute the First Amendment to the Second Amended and Restated Intergovernmental Agreement by and between the County of Clermont, Ohio, acting through its Board of County Commissioners, the Clermont County Engineer, and the Clermont County Transportation Improvement District (CCTID), 175 East Main Street, Suite 150, Batavia, Ohio 45103, previously ratified by the Board of County Commissioners on 10/11/06 and subsequently amended on 05/06/08 and 03/18/09, for the provision of cooperating in the development, coordination, and implementation of short-range and long-range projects throughout Clermont County as identified in the Regional Transportation Improvement Program established by the CCTID, to allow for additional language to be added to Section 2.1 and Section 2.2 of said Intergovernmental Agreement as outlined therein relative to the provision of additional security to the holders of the Revenue Bonds required for the financing of said projects, with all other terms and conditions of the original Second Amended and Restated Intergovernmental Agreement in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 29-10/RESOLUTION DETERMINING TO PROCEED TO LEVY AN ADDITIONAL TAX IN EXCESS OF THE TEN-MILL LIMITATION FOR MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES ...10-0202-001...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wanda Downey, President, Clermont County Board of Developmental Disabilities, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **29-10** authorizing the placement of a replacement tax levy in the amount of nine tenths (0.90) mill for each One Dollar (\$1.00) of valuation, which amounts to nine (\$0.09) cents for each one hundred (\$100.00) dollars of valuation, for a continuing period of time to be placed on the 2010 tax duplicate for first collection in 2011 and for a continuing time thereafter, for the operation of mental retardation and developmental disabilities programs and services and for the acquisition, construction, renovation, financing, maintenance, and operation of mental retardation and developmental disabilities facilities in and as it relates to the submission of the question of the tax to the electorate of Clermont County, Ohio, at the Primary Election to be held on Tuesday, 05/04/10, pursuant to and in compliance with Sections 5705.222 and 5705.03 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 30-10/RESOLUTION SUPPORTING FULL AND EXPEDITED IMPLEMENTATION OF ALL LEGISLATION REQUIRED UNDER STATE ISSUE 3, ADOPTED BY THE VOTERS OF OHIO ON NOVEMBER 3, 2009...10-0205-003...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to adopt Resolution Number **30-10** resolving to express Clermont County's interest in having the Ohio General Assembly expedite its deliberations on the legislation required under State Issue 3, a Constitutional Amendment permitting casino gambling in four Ohio cities and counties which was adopted by the voters on November 3, 2009, and to urge the General Assembly to adopt said legislation without delay and encourage the Governor to sign said legislation upon its passage by the General Assembly, as Clermont County and the various public school districts in Clermont County, Ohio, stand to realize sums roughly in excess of \$5.6 million and \$3.5 million, respectively, on an annual basis from the operation of said casinos and a delay in adopting said legislation will create irreparable economic harm to our region and other Ohio cities, counties and school districts.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**LET THE RECORD SHOW:** That a motion by Mr. Humphrey, seconded by Mr. Croswell, to approve the minutes of Work Sessions of **01/13/10 and 01/27/10** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **02/10/10** carried with all members present voting affirmatively thereon.

**IN RE: ADJOURNMENT...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:41 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**COMMISSIONERS' JOURNAL #304   CLERMONT COUNTY   REGULAR SESSION   02/10/10**

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT  
EDWIN H. HUMPHREY, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 02/10/10**